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U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
EAST. DIV. COLUMBUS

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA ,	:	CASE NO.	
	:	JUDGE	
Plaintiff,	:		2 : 16 cr 083
	:	18 U.S.C. § 371	
v.	:		
	:		
BRYON E. ESTEP,	:		Judge Marbley
	:		
Defendant.	:		

**INDICTMENT**

**THE GRAND JURY CHARGES:**

All dates and times in this Indictment are alleged to be "on or about," "in and around," or "through and including" the specific dates stated.

**COUNT 1**  
**(18 U.S.C. § 371: Conspiracy)**

**THE CONSPIRACY AND ITS OBJECTS**

1. From at least May 2, 2011, through at least December 6, 2011, in the Southern District of Ohio and elsewhere, Defendant BRYON E. ESTEP did knowingly, willfully, and unlawfully combine, conspire, confederate, and agree with other persons—including Evan A. Wilbur, not named in this Indictment—to commit offenses against the United States, including wire fraud and mail fraud.

2. One of the objects of the conspiracy among and between Defendant BRYON E. ESTEP and his co-conspirators was to unlawfully enrich themselves by placing telephone orders for merchandise with false banking information, in order for the merchandise to be shipped and received by Defendant BRYON E. ESTEP and others.

### **MANNER AND MEANS OF THE CONSPIRACY**

3. Cabela's, Inc. ("Cabela's"), is a nationwide sporting goods retailer doing business in the Southern District of Ohio and elsewhere. Cabela's accepts customer orders over the telephone and ships merchandise to customers in response to orders.

4. Defendant **BRYON E. ESTEP** and others fraudulently ordered merchandise from Cabela's over the telephone, which caused signals and sounds to be transmitted by means of wire communication in interstate commerce. The orders were fraudulent because they were placed using electronic bank checks citing invalid account numbers.

5. Some of the fraudulent orders were placed from a telephone number associated with Defendant **BRYON E. ESTEP**.

6. Some of the fraudulent orders were delivered to an address associated with Defendant **BRYON E. ESTEP**, in Bidwell, Ohio, in the Southern District of Ohio.

7. Defendant **BRYON E. ESTEP** and others ordered that the merchandise from Cabela's be sent by overnight delivery. Orders were carried by United Parcel Service of America, Inc. ("UPS"), a private and commercial interstate carrier.

8. Because Cabela's sent the orders by overnight delivery, the merchandise had been shipped before Cabela's discovered that the account numbers used in the orders were invalid.

9. Fraudulently ordered merchandise was caused to be shipped to locations controlled by Defendant **BRYON E. ESTEP** and others. Once the merchandise was delivered, Defendant **BRYON E. ESTEP** would, on some occasions, pick up the merchandise. Defendant **BRYON E. ESTEP** would, on other occasions, direct others to deliver the merchandise to his residence.

### OVERT ACTS

10. On May 2, 2011, in the Southern District of Ohio, Defendant BRYON E. ESTEP, for the purpose of executing or attempting to execute the above-described mail and wire fraud scheme, an artifice to defraud and obtain property in the above-described manner, caused signals and sounds—namely, a telephone call to place an order at Cabela's totaling \$147.90—to be transmitted by means of wire communication in interstate commerce.

11. On May 3, 2011, Defendant BRYON E. ESTEP, for the purpose of executing or attempting to execute the above-described mail and wire fraud scheme, an artifice to defraud and obtain property in the above-described manner, did knowingly cause to be delivered by UPS, a private and commercial interstate carrier according to the direction thereon, a Cabela's package containing merchandise, to an address in Bidwell, Ohio, in the Southern District of Ohio. The last name on the package's mailing label was "Estep."


In violation of 18 U.S.C. § 371.

A TRUE BILL.

S/Foreperson

FOREPERSON

BENJAMIN C. GLASSMAN  
Acting United States Attorney

  
PETER K. GLENN-APPEGATE  
Assistant United States Attorney